

UNOFFICIAL VERSION

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WEDNESDAY, JANUARY 9, 2019

SECOND ORGANIZATIONAL DAY

CALL TO ORDER

The Senate met at 9:00 a.m., and was called to order by Mr. Speaker McNally.

PRAYER

The proceedings were opened with prayer by Pastor Erich Lacks of Life Church in Nashville, Tennessee, a guest of Senator Gilmore.

PLEDGE OF ALLEGIANCE

Senator Gilmore led the Senate in the Pledge of Allegiance to the Flag.

SALUTE TO THE FLAG OF TENNESSEE

Senator Gilmore led the Senate in the Salute to the Flag of Tennessee.

ROLL CALL

The roll call was taken with the following results:

Present 31

Senators present were: Akbari, Bailey, Bell, Bowling, Briggs, Crowe, Dickerson, Gardenhire, Gilmore, Gresham, Haile, Hensley, Jackson, Johnson, Kelsey, Kyle, Lundberg, Massey, Niceley, Pody, Reeves, Roberts, Robinson, Southerland, Stevens, Swann, Watson, White, Yager, Yarbro and Mr. Speaker McNally--31.

MOTION

Senator Johnson moved, pursuant to Rule 32 and Article II, Section 18 of the Constitution of the State of Tennessee, **Senate Bill No. 22** be passed on first consideration, which motion prevailed.

INTRODUCTION OF BILL

The Speaker announced the following bill was filed for introduction and passed first consideration:

Senate Bill No. 22 by Senator Johnson.

Statutes and Codification -- As introduced, codifies the Acts of the 2018 regular session.

MOTION

Senator Johnson moved, pursuant to Rule 33 and Article II, Section 18 of the Constitution of the State of Tennessee, that **Senate Bills Nos. 1 through 21** be passed on second consideration and be referred to the appropriate committees or held on the Clerk's desk, which motion prevailed.

SENATE BILLS ON SECOND CONSIDERATION

The Speaker announced that **Senate Bills Nos. 1 through 21** passed second consideration and were held on the Clerk's desk pending the appointment of the appropriate committees.

MOTION

Senator Johnson moved, pursuant to Rule 21, **Senate Joint Resolutions Nos. 43 through 53** be passed on first consideration and lie over, which motion prevailed.

INTRODUCTION OF RESOLUTIONS

The Speaker announced the following resolutions were filed for introduction. Pursuant to Rule 21, the resolutions lie over.

Senate Joint Resolution No. 43 by Senator Southerland.
Memorials, Public Service -- Commissioner David W. Purkey.

Senate Joint Resolution No. 44 by Senator Southerland.
Memorials, Sports -- Greeneville High School football team, TSSAA Division I Class 4A State Champions.

Senate Joint Resolution No. 45 by Senators White and Reeves.
Memorials, Professional Achievement -- John Harney, Rutherford County Chamber of Commerce 2018 Business Person of the Year.

Senate Joint Resolution No. 46 by Senators White and Reeves.
Memorials, Professional Achievement -- Chief Kevin Arnold, 2018 Leadership Rutherford Pinnacle Award.

Senate Joint Resolution No. 47 by Senators White and Reeves.
Memorials, Professional Achievement -- Gordon Ferguson, Rutherford County Chamber of Commerce 2018 Business Legend.

Senate Joint Resolution No. 48 by Senators White and Reeves.
Memorials, Professional Achievement -- John Hood, Rutherford County Chamber of Commerce Doug Young Lifetime Achievement Award.

Senate Joint Resolution No. 49 by Senator Crowe.
Memorials, Retirement -- Dr. Teresa M. Kidd.

Senate Joint Resolution No. 50 by Senator Crowe.
Memorials, Recognition -- Vice Mayor Jim Shulman.

Senate Joint Resolution No. 51 by Senator Crowe.
Memorials, Recognition -- City of Johnson City, sesquicentennial.

Senate Joint Resolution No. 52 by Senator Crowe.
Memorials, Recognition -- Logan Grant.

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Senate Joint Resolution No. 53 by Senator Crowe.

General Assembly, Statement of Intent or Position -- Expresses support for the National Suicide Hotline Improvement Act of 2018 and the creation of a three-digit nationwide suicide and mental health crisis hotline in the United States.

MOTION

Senator Johnson moved, pursuant to Rule 21, **Senate Joint Resolutions Nos. 1 and 3 through 40** lie over and be referred to the appropriate committees or held on the Clerk's desk, which motion prevailed.

RESOLUTIONS LYING OVER

The Speaker announced that **Senate Joint Resolutions Nos. 1 and 3 through 40** passed second consideration and were held on the Clerk's desk pending the appointment of the appropriate committees.

NOTICES

**REPORT OF SELECT COMMITTEE TO
CANVASS RETURNS ON THE GOVERNOR'S RACE**

The report was received and filed with the Clerk.

**REPORT OF SELECT COMMITTEE TO REVIEW THE AUDITS AND OPERATIONS OF THE
COMPTROLLER OF THE TREASURY AND THE DEPARTMENT OF TREASURY**

The report was received and filed with the Clerk.

RECESS

Senator Johnson moved that pursuant to **Senate Joint Resolution No. 42** the Senate recess and repair in a body to the House Chamber to meet the House of Representatives in Joint Convention for the purpose of the election of the Constitutional Officers, and further moved that at the conclusion of the Joint Convention that the Senate adjourn until 9:30 a.m., Thursday, January 10, 2019, which motion prevailed.

**IN JOINT CONVENTION
ELECTION OF CONSTITUTIONAL OFFICERS**

CALL TO ORDER

Mr. President McNally called the Joint Convention to order pursuant to **Senate Joint Resolution No. 42**.

ROLL CALL

Mr. President McNally declared a quorum was present.

On motion of Senator Johnson, the roll call of the Senate was dispensed with.

On motion of Representative Lamberth, the roll call of the House was dispensed with.

MOTION

Senator Watson moved that the Report of the Select Committee to Review the Audits and Operations of the Comptroller of the Treasury and the Department of Treasury be adopted and spread upon the Journal, which motion prevailed.

Representative Lamberth seconded the motion.

**REPORT OF THE SELECT COMMITTEE TO REVIEW THE AUDITS
AND OPERATIONS OF THE COMPTROLLER OF THE TREASURY
AND THE DEPARTMENT OF TREASURY**

On January 8, 2019, the select committee appointed by the Speakers of the Senate and the House of Representatives, pursuant to Tennessee Code Annotated, Sections 8-4-102 and 8-5-102, met to review the audits and operations of the Comptroller of the Treasury and the Department of the Treasury in House Hearing Room V in Cordell Hull Building. The select committee was composed of Representative William Lamberth, Representative John Mark Windle, Representative Susan Lynn, Senator Raumes Akbari, Senator John Stevens, and Senator Bo Watson, who served as chairman. A quorum was present.

Debra Loveless presented the following information to the committee on behalf of Treasurer David H. Lillard, Jr., and Comptroller Justin P. Wilson:

1. An audit report of the Comptroller of the Treasury, dated October 2018;
2. An audit report of the Department of the Treasury for the fiscal year ending June 30, 2018; and
3. A report entitled "State of Tennessee Office of the Comptroller of the Treasury, Department of Audit External Peer Review for the period July 1, 2017 through June 30, 2018" conducted under the direction of the National State Auditors Association.

Senator Stevens moved that the committee accept the audit of the Comptroller of the Treasury as being properly conducted and in compliance with all laws and to report such action to the Senate and House of Representatives. The motion was seconded. The motion carried unanimously.

Representative Lynn moved that the committee accept the audit of the Department of the Treasury as being properly conducted and in compliance with all laws and to report such action to the Senate and House of Representatives. Senator Akbari seconded the motion. The motion carried unanimously.

There being no further business, the committee adjourned.

Submitted by:

/s/ Representative William Lamberth
Representative John Mark Windle
/s/ Representative Susan Lynn

/s/ Senator Bo Watson
/s/ Senator John Stevens
/s/ Senator Raumes Akbari

ELECTION OF COMPTROLLER OF THE TREASURY

Mr. President McNally declared that the next order of business was the election of the Comptroller of the Treasury, and that nominations were now in order.

Senator Dickerson placed in nomination the name of the Honorable Justin P. Wilson of Davidson County.

Representative Weaver seconded the nomination of Mr. Wilson.

Representative Littleton moved that the nominations cease and the Honorable Justin P. Wilson be elected by acclamation, which motion prevailed.

Thereupon, Mr. President McNally declared the Honorable Justin P. Wilson duly, legally and constitutionally elected Comptroller of the Treasury for the ensuing two years.

APPOINTMENT OF SELECT COMMITTEE

Mr. President McNally appointed a Committee composed of Senators Crowe, Hensley and Gresham; Representatives Crawford, Lynn and White to escort Mr. Wilson to the Well. Representative Lynn served as Chairperson of this committee

OATH OF OFFICE

The Honorable Judge Timothy L. Easter, of the Tennessee Court of Criminal Appeals administered the oath of office to Mr. Wilson.

Mr. Comptroller Wilson made remarks.

MR. PRESIDENT MCNALLY RELINQUISHES THE CHAIR

Mr. President McNally relinquished the Chair to Mr. Speaker Casada as President.

ELECTION OF TREASURER

Mr. President Casada declared that the next order of business was the election of the State Treasurer and that nominations were now in order.

Representative Gant placed in nomination the name of the Honorable David H. Lillard, Jr., of Fayette County.

Senator Gresham seconded the nomination of Mr. Lillard.

Representative Lynn moved that the nominations cease and the Honorable David H. Lillard, Jr., be elected by acclamation.

Thereupon, Mr. President Casada declared the Honorable David H. Lillard, Jr., duly, legally and constitutionally elected State Treasurer for the ensuing two years.

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APPOINTMENT OF SELECT COMMITTEE

Mr. President Casada appointed a Committee composed of Senators Lundberg, Stevens and White; Representatives Hazelwood, Moody and Jerry Sexton to escort Mr. Lillard to the Well. Senator Stevens served as Chairperson of the committee.

OATH OF OFFICE

The Honorable Judge Timothy L. Easter, of the Tennessee Court of Criminal Appeals administered the oath of office to Mr. Lillard.

Mr. Treasurer Lillard made remarks.

DISSOLUTION OF JOINT CONVENTION

Mr. President Casada declared, pursuant to **Senate Joint Resolution No. 42**, the purpose for which the Joint Convention was assembled having been accomplished, the Joint Convention stood dissolved.

MOTION

On motion of Senator Yarbrow, his name was added as sponsor of **Senate Joint Resolutions Nos. 9, 10, 11, 12, 13, 14, 15, 16, 17, 18, 19, 20, 21, 22, 23, 24, 25, 26, 27, 28, 29, 30, 31, 32, 33, 34, 35, 36, 37 and 38**.

MESSAGE FROM THE HOUSE

January 9, 2019

MR. SPEAKER: I am directed to transmit to the Senate, House Joint Resolutions Nos. 3, 4, 9 and 10; adopted, for the Senate's action.

TAMMY LETZLER
Chief Clerk

**REPORT OF COMMITTEE ON CALENDAR
CONSENT CALENDAR**

MR. SPEAKER: Your Committee on Calendar begs leave to report that we have met and set the following bills on the calendar for Thursday, January 10, 2019: Senate Joint Resolutions Nos. 4, 5, 6, 7, 8, 9, 10, 11, 12, 13, 14, 15, 16, 17, 18, 19, 20, 21, 22, 23, 24, 25, 26, 27, 28, 29, 30, 31, 32, 33, 34, 35, 36, 37, 38, 39, 40, 43, 44, 45, 46, 47, 48, 49, 50, 51, 52 and 54.

This the 9th day of January, 2019
JOHNSON, Chairperson

ADJOURNMENT

Pursuant to Senator Johnson's motion, the Senate adjourned until 9:30 a.m., Thursday, January 10, 2019.